

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry et al.

Serial No.: 09/784,804

Filed: December 27, 2000

For: DISHWASHER SILVERWARE  
BASKET WITH SWIVEL  
HANDLE

Art Unit: 3727

Examiner: Moy, Joseph Man

*Amclt*  
*#10/A*  
*11/8/02*  
*B Ross*  
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TECHNOLOGY CENTER R3700

**AMENDMENT**

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

In response to the Office Action dated August 29, 2002, please amend the above-identified patent application as follows:

IN THE SPECIFICATION

Please replace the paragraph on page 4, lines 10-21 with the following paragraph:

*A1*

Figure 5 is a perspective view of middle basket 12 (also shown in Figure 1) including a front wall 70, a back wall 72, and opposite side walls 74 joined to one another with rounded corners 76. Back wall 72 is substantially parallel to front wall 70 and to a longitudinal axis 78 and includes an attachment member 80 for attachment to a dishwasher rack (not shown). Side walls 74 are substantially parallel to one another, substantially perpendicular to front and back walls 70, 72, and extend a shorter length than front and back walls 70, 72. Thus, middle basket 12 is substantially rectangular and defines a compartment 82 subdivided by dividers 20. Each side wall 74 contains a plurality of attachment fingers 84 including flat portions 86 and round portions 88 for detachable engagement with apertures or slots (not shown in Figure 5) of side



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9D-DW-19349  
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Serial No.: 09/748,804 : Art Unit: 3727  
Filed: December 27, 2000 : Examiner:  
For: DISHWASHER SILVERWARE :  
BASKET WITH SWIVEL HANDLE :

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER OF PATENTS AND TRADEMARKS**


Express Mail mailing label number: **EL817717959US**

Date of Mailing: **November 1, 2002**

I certify that the documents listed below:

- Amendment (11 pgs.), in response to Office Action dated August 29, 2002
- Submission of Marked Up Paragraphs and Claims (3 pgs.)
- Amendment Transmittal Form (3 pgs.)
- Return post card

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231-0001.

  
Bruce T. Atkins, Reg. No. 43,476  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63102-2740  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Barry et al.

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Serial No.: 09/784,804

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Commissioner for Patents  
Washington, D.C. 20231

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is  
\_\_\_ a small entity. A verified statement:  
\_\_\_ is attached.  
\_\_\_ was already filed.  
☒ other than a small entity.

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

\_\_\_ deposited with the United States Postal Service  
with sufficient postage as first class mail, in an  
envelope addressed to the Assistant Commissioner for  
Patents, Washington, D.C. 20231

FACSIMILE

\_\_\_ transmitted by facsimile to the Patent and  
Trademark Office

Date: \_\_\_\_\_

\_\_\_\_\_  
Bruce T. Atkins, Reg. No. 43,476

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 870.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,510.00	\$ 755.00

Fee: \$

If an additional extension of time is required, please consider this a petition therefor.

*(Check and complete the next item, if applicable)*

☐ An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY			
CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE	
TOTAL	18	MINUS	*20	= -0-	x \$11 =	\$			x \$22 =	\$-0-	
INDEP.	4	MINUS	**3	= 1	x \$41 =	\$			1 x \$84 =	\$84.00	
___ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM							+ \$135 =		\$	+ \$270 = \$-0-	
						TOTAL ADDIT. FEE		\$	OR	TOTAL ADDIT. FEE	\$84.00

- (c) \_\_\_ No additional fee for Claims is required.

**OR**

- (d)
- ☒
- Total additional fee for claims required
- \$84.00

**FEE PAYMENT**

5. \_\_\_ Attached is a check in the sum of \$\_\_\_


☒ Charge Deposit Account No. 01-2384 the sum of \$84.00  
A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

- 6.
- ☒
- If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

**AND/OR**

☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

  
 Bruce T. Atkins, Registration No. 43,476  
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 One Metropolitan Square, Suite 2600  
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 314/621-5070